



October 1, 2019

***Submitted via the Comment and Analysis Response Application***

<https://cara.ecosystem-management.org/Public/CommentInput?project=52904>

USDA Forest Service  
Attn: Objection Reviewing Officer  
1400 Independence Ave. SW  
EMC-PEEARS, Mailstop 1104  
Washington, DC 20250

RE: Objections regarding the Greater Sage-Grouse Draft ROD and LMPA for NFS Land in Wyoming

Dear Objection Reviewing Officer:

The Petroleum Association of Wyoming (PAW) hereby submits these objections to the Greater Sage-grouse (GRSG) Draft Record of Decision (ROD) and Land Management Plan Amendment (LMPA) for National Forest System Land in Wyoming ("Plan"). See 36 C.F.R. § 219.53(c)(4). Brian Ferebee, Regional Forester for the Rocky Mountain Region, and Nora Rasure, Regional Forester for the Intermountain Region, are the responsible officials for the Plan. See *id.*

PAW is the voice of Wyoming's primary economic driver, the oil and gas industry. Collectively, PAW's members produce over 90% of the State's oil and gas, generate more than \$5 billion in economic activity, and employ more than 18,000 of Wyoming's hardworking men and women.

PAW's contact information is 951 Werner Court, Suite 100, Casper, Wyoming 82601, (307) 234-5333, and [paw@pawyo.org](mailto:paw@pawyo.org). See 36 C.F.R. § 219.53(c)(1).

By letter dated January 3, 2019, PAW submitted comments on the Greater Sage-grouse Proposed LMPAs and Draft Environmental Impact Statement (EIS) for the Intermountain and Rocky Mountain Regions. In these comments, PAW raised several issues and requested corresponding changes to provisions of the Draft EIS. Unfortunately, because the Forest Service did not adequately address several of the issues PAW raised in its comment letter, PAW now reiterates these issues as objections.

**Objection One: Exception Standard for Fluid Mineral Leasing Stipulations**

*Statement of Issues – 36 C.F.R. § 219.54(c)(5)*

PAW objects to the provisions that outline the standard by which the Forest Service may grant exceptions to fluid mineral Stipulations W1 – W8 in Attachment D of the ROD, Management Approach for Fluid Minerals: Stipulations, at pages 84 – 91, and in Appendix G, of the Final EIS, Management Approach for Fluid Minerals: Stipulations, at pages G12 – G 19. Although the language of these provisions varies slightly depending on the resources affected, they follow the same general format:

Exceptions: The authorized officer may grant an exception if an environmental record of review determines that the action, as proposed or conditioned, would not impair the function or utility of the site for the current or subsequent seasonal habitat, life-history, or behavioral needs of GRS. The FS can and does grant exceptions if the FS, in coordination with the state agency, determines that granting an exception would not adversely impact the population being protected. The FS will coordinate with the State wildlife agency to consider the Wyoming Compensatory Mitigation Framework as the primary mechanism to calculate credits and debits that adequately offset the effects of the disturbance.

See ROD at 85; Final EIS at G-12.

A key issue to PAW and its members is that the Forest Service establish a streamlined, certain, and consistent process to obtain exceptions to density, disturbance, noise, distance, and timing stipulations. In particular, PAW seeks a consistent process considering exceptions to timing stipulations outside of Primary Habitat Management Areas (PHMA).

By contrast, the State of Wyoming Executive Order 2019-3, Greater Sage-Grouse Core Area Protection (Aug. 21, 2019), outlines a clear process for evaluating exceptions. The Bureau of Land Management (BLM) recently revised its greater sage-grouse resource management plan amendments (RMPAs) to align with the State's process. See BLM Wyoming Greater Sage-Grouse Approved RMPA, App. A, at A-9 and A-10 (MD SSS 5-10 and 12) (2019).<sup>1</sup> PAW requests that the Forest Service revise its exception language to align with the State and BLM's exception process.

*Statement of Prior Participation – 36 C.F.R. § 219.54(c)(7)*

PAW originally requested the changes below in its comments on the Forest Service Draft EIS dated January 3, 2019, page 2. As detailed below, the Forest Service did not make these changes or respond to PAW's comments.

*Statement of Objection – 36 C.F.R. § 219.54(c)(6)*

The Forest Service's exception provisions diverge from the State of Wyoming's Executive Order 2019-3 and BLM's RMPA by including two substantive standards as to when an exception may be granted: "if an environmental record of review determines that the action, as proposed or conditioned, would not impair the function or utility of the site for the current or subsequent seasonal habitat, life-history, or behavioral needs of GRS" and if the Forest Service "determines that granting an exception would not adversely impact the population being protected." See ROD, Attachment D at pages 84 – 91 (fluid mineral Stipulations W1 – W8). Not only does the Forest Service's exception provisions include a substantive standard that differs from the State of Wyoming's standard for granting exceptions, the Forest Service's exception provisions also appear to require the Forest Service to prepare an "environmental record of review"—a duplicative and thus unnecessary process.

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<sup>1</sup> [https://eplanning.blm.gov/epl-front-office/projects/lup/103347/168777/205594/WY\\_AppA\\_ManagementDecisionsAll\\_GRS\\_03112019.pdf](https://eplanning.blm.gov/epl-front-office/projects/lup/103347/168777/205594/WY_AppA_ManagementDecisionsAll_GRS_03112019.pdf).

The State of Wyoming applies a rigorous five-step process to examine proposed exceptions, including the adequacy of any compensatory mitigation:

1. The WGFD works jointly with the agency to evaluate projects and recommend mitigation in the form of avoidance and minimization.
2. The WGFD determines if the State requires or recommends any additional mitigation – including compensatory mitigation – under State regulations, policies, or programs related to the conservation of GRSG.
3. If the WGFD determines that compensatory mitigation is required to address impacts to GRSG habitat as a part of State policy or authorization, or if a proponent voluntarily offers mitigation, the agency incorporates State required or recommended mitigation into the [National Environmental Policy Act (NEPA)] decision-making process,
4. Analyze whether the compensatory mitigation:
  - achieves measurable outcomes for Greater Sage-Grouse habitat function on a landscape scale as determined by WGFD that are at least equal to the lost or degraded values in accordance with the Governor of Wyoming’s Executive Order
  - provides benefits that are in place for at least the duration of the impacts
  - accounts for a level of risk that the mitigation action may fail or not persist for the full duration of the impact
5. Ensure mitigation outcomes are consistent with the State of Wyoming’s mitigation strategy and principles.

Furthermore, Wyoming Executive Order 2019-3 directs that exception requests and proposed compensatory mitigation be evaluated “to assure the perpetuation of the species.” See Executive Order 2019-3, App. F at 8 (requiring assessment of replacement, indirect effects, habitat assurance, and habitat vulnerability).

BLM has endorsed the State of Wyoming’s process through its 2019 GRSG RMPAs and explicitly adopted the State of Wyoming five-step decision-making process. BLM’s 2019 Wyoming Sage-Grouse Resource Management Plan Amendment (RMPA) provides that BLM may grant exceptions in consultation with the State of Wyoming and when consistent with the State of Wyoming’s Executive Order 2019-3:

The authorized officer may grant an exception on a case-by-case basis subject to appropriate site-specific analysis, mitigation requirements, and consultation with

the State of Wyoming and consistent with the applicable State management strategy (currently Governor of Wyoming's Executive Order 2015-4) (see MD SSS 4).

BLM Approved RMPA, App. A, at A-8 through A-10 (MD SSS 5-10 and 12).<sup>2</sup> Elsewhere, BLM's Wyoming Greater Sage-Grouse RMPA also directs that BLM will adopt Wyoming's compensatory mitigation framework to the extent consistent with federal policy:

Specific to management for Greater Sage-Grouse, all RMPs are amended as follows: Adopt the State of Wyoming's Greater Sage-Grouse Compensatory Mitigation Framework to the extent consistent with federal law, regulations, and policy.

In all Greater Sage-Grouse habitat, when authorizing third-party actions in designated Greater Sage-Grouse habitat, the BLM will seek to achieve the planning-level Greater Sage-Grouse management goals and objectives through implementation of mitigation and management actions, consistent with valid existing rights and applicable law. Under this Plan Amendment, management would be consistent with the Greater Sage-Grouse goals and objectives, and in conformance with BLM Manual 6840, Special Status Species Management. In accordance with BLM Manual 6840, the BLM will undertake planning decisions, actions and authorizations "to minimize or eliminate threats affecting the status of [Greater Sage-Grouse] or to improve the condition of [Greater Sage-Grouse] habitat" across the planning area.

Accordingly, before authorizing third-party actions that result in habitat loss and degradation, the BLM will complete the following steps, in alignment with the Governor of Wyoming's Executive Order 2015-4 (July 29, 2015):

1. Work jointly with the WGFD to evaluate projects and recommend mitigation in the form of avoidance and minimization.
2. The WGFD will determine if the State requires or recommends any additional mitigation – including compensatory mitigation – under State regulations, policies, or programs related to the conservation of Greater Sage-Grouse.
3. Incorporate state required or recommended mitigation into the BLM's NEPA decision-making process, if the WGFD determines that compensatory mitigation is required to address impacts to GRSG habitat as a part of State policy or authorization, or if a proponent voluntarily offers mitigation.

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<sup>2</sup> [https://eplanning.blm.gov/epl-front-office/projects/lup/103347/168777/205594/WY\\_AppA\\_ManagementDecisionsAll\\_GRSG\\_03112019.pdf](https://eplanning.blm.gov/epl-front-office/projects/lup/103347/168777/205594/WY_AppA_ManagementDecisionsAll_GRSG_03112019.pdf).

4. Analyze whether the compensatory mitigation (deferring to the appropriate State authority to quantify habitat offsets, durability, and other aspects used to determine the recommended compensatory mitigation action):
  - achieves measurable outcomes for Greater Sage-Grouse habitat function on a landscape scale as determined by WGFD that are at least equal to the lost or degraded values in accordance with the Governor of Wyoming's Executive Order 2015-4.
  - provides benefits that are in place for at least the duration of the impacts.
  - accounts for a level of risk that the mitigation action may fail or not persist for the full duration of the impact.
5. Ensure mitigation outcomes are consistent with the State of Wyoming's mitigation strategy and principles outlined in 2019 GRSG ARMPA Appendix C, The Greater Sage-Grouse Habitat Management Strategy.

The BLM has determined that, except where the law specifically requires, compensatory mitigation must be voluntary unless required by other applicable law and in recognition that State authorities may also require compensatory mitigation (IM 2019-018, Compensatory Mitigation, December 6, 2018). Therefore, consistent with valid existing rights and applicable law, when authorizing third-party actions that result in habitat loss and degradation, the BLM will consider voluntary compensatory mitigation actions only as a component of compliance with a State mitigation plan, program, or authority, or when offered voluntarily by a project proponent.

Project-specific analysis will be necessary to determine how a compensatory mitigation proposal addresses impacts from a proposed action. The BLM will cooperate with the State to determine appropriate project design and alignment with State policies and requirements, including those regarding compensatory mitigation. When the BLM is considering compensatory mitigation as a component of the project proponent's submission or based on a mitigation requirement from the State, the BLM's NEPA analysis would evaluate the need to avoid or minimize impacts of the proposed project and achieve the goals and objectives of this RMPA. The BLM will defer to the appropriate State authority to quantify habitat offsets, durability, and other aspects used to determine the recommended compensatory mitigation action.

BLM Approved RMPA, App. A at A-7 and A-8 (MD SSS 4).

The Forest Service's adoption of an exception process that differs from the State of Wyoming's and BLM's exception processes is inconsistent with the express purpose of revising the Plan. The stated purpose of the Plan revision "is to incorporate new information to improve the clarity, efficiency, and

implementation of greater sage-grouse plans, including better alignment with the Bureau of Land Management (BLM) and state plans, in order to benefit greater sage-grouse conservation on the landscape scale.” Final EIS at 1-19; 83 Fed. Reg. 28,608, 28,6609 (June 20, 2018) (emphasis added). The Forest Service, however, may only analyze alternatives that respond to its stated purpose and need for revising the Plan. See 40 C.F.R. § 1502.13. *Wyoming v. U.S. Dep’t of Agric.*, 661 F.3d 1209, 1243 (10th Cir. 2011). “When the purpose is to accomplish one thing, it makes no sense to consider the alternative ways by which another thing might be achieved.” *City of Angoon v. Hodel*, 803 F.2d 1016, 1021 (9th Cir. 1986). Because the Forest Service’s exception process fails to align with BLM’s and the State of Wyoming’s exception process, the Plan’s exception process is inconsistent with its purpose and must be revised.

Furthermore, the Plan’s exception process is inconsistent with the Forest Service’s commitments in its Memorandum of Understanding (MOU) with the State of Wyoming and other federal agencies. In that MOU, the Forest Service agreed that when it “determines through NEPA analysis that residual impacts from an anthropogenic disturbance cannot be avoided or minimized and exceed EO 2015-4 stipulations or U.S. Forest Service Greater sage-grouse Land and RMP Record of Decision standards and guidelines, the U.S. Forest Service agrees to incorporate the [State of Wyoming’s Mitigation Framework] as the primary tool to evaluate and quantify debits and calculate the number of credits required for compensatory mitigation.” Memorandum of Understanding Among the United States Department of the Interior Bureau of Land Management, the United States Department of Agriculture Forest Service, the United States Department of the Interior Fish and Wildlife Service, United States Department of Agriculture, Natural Resource Conservation Service and the State of Wyoming § V.D (2017).<sup>3</sup> Indeed, in the State of Wyoming’s comments on the Draft EIS, Governor Matthew H. Mead observed that “[m]any of the provisions the [Forest Service] has worked on with the State to develop consistency in the body of the document are not reflected in the current draft of Appendix G.” See Letter from Governor Matthew H. Mead to Mr. John Shivik (Jan. 3, 2019).

To align the Plan with the Forest Service’s express purpose and need and its prior commitments in the MOU, the Forest Service must recognize and endorse the State of Wyoming’s process for granting exceptions, which includes adopting the environmental analysis of impacts associated with the exception and balancing avoidance, minimization and compensatory mitigation measures inherent in the State’s Compensatory Mitigation Framework. Without revising the exception provisions to clearly state the Forest Service will approve exceptions as endorsed by the WGFD, adopting the state’s Compensatory Mitigation Framework will not be fully realized and ongoing ambiguity will exist regarding application of the exception process.

The Forest Service can provide the necessary clarity and consistency in the exception process while still meeting its statutory and regulatory obligations to the greater sage-grouse. See 36 C.F.R. § 219.9. Indeed, BLM determined that it could meet its obligations to the greater sage-grouse with language in its RMPA allowing it to “grant an exception on a case-by-case basis subject to appropriate site-specific analysis, mitigation requirements, and consultation with the State of Wyoming and consistent with the applicable State management strategy.” See BLM Approved RMPA, App. A, at A-8 through A-10 (MD SSS 5-10 and 12). To meet its obligations toward greater sage-grouse, BLM adopted the five-step

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<sup>3</sup> [https://www.fs.usda.gov/Internet/FSE\\_DOCUMENTS/fseprd534481.pdf](https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd534481.pdf).

analysis for considering exception requests. See BLM Approved RMPA, App. A at A-7 and A-8 (MD SSS 4). Given that the Wyoming Executive Order 2019-3 requires WGFD to “to assure the perpetuation of the species,” see Executive Order 2019-3, App. F at 8, the State of Wyoming and the Forest Service have similar objectives of maintaining viability of the species.

Therefore, to address PAW’s concerns described above, PAW requests that the language governing exceptions to fluid mineral Stipulations W1 – W8 in Attachment D of the ROD, Management Approach for Fluid Minerals: Stipulations, and in Appendix G, of the Final EIS, Management Approach for Fluid Minerals: Stipulations be revised as follows:

~~The authorized officer may grant an exception on a case by case basis subject to appropriate site-specific analysis, mitigation requirements, and consultation with the State of Wyoming and consistent with the applicable State Management strategy (currently Governor of Wyoming’s Executive Order 2015-4) if a review determines that the action, as proposed or conditioned, would not impair the function or utility of the site for the current or subsequent seasonal habitat, life-history, or behavior needs of the GRSG. The FS can and does grant exceptions if the FS, in coordination with the state agency, determines that granting an exception would not adversely impact the population being protected. The FS will coordinate with the State wildlife agency to consider the Wyoming Compensatory Mitigation Framework as the primary mechanism to calculate credits and debits that adequately offset the effects of the disturbance.~~

## **Objection Two: Use of the Wyoming Compensatory Mitigation Framework**

*Statement of Issues – 36 C.F.R. § 219.54(c)(5)*

PAW requests that the Forest Service modify the following provision in Attachment A of the ROD, Forest Service Plan Components and Optional Content in the Plan, at page 53, and in the Final EIS at page 2-284:

GRSG-TDDD-MA-025-Management Approach - If, after avoidance and minimization, a proposed project still exceeds timing, density, disturbance, distance or noise requirements (from most up to date WY Executive Order), **include an alternative** using the Wyoming Compensatory Mitigation Framework as the primary means to evaluate and quantify debits, and calculate the number of credits required for compensatory mitigation. Refer to Appendix F for the Mitigation Framework and work collaboratively with the State point of contact (Wyoming Game and Fish Department’s Habitat Protection Program) when applying the Wyoming Mitigation Framework.

PAW objects to the inclusion of the highlighted language, which introduces ambiguity into the process for determining compensatory mitigation.

*Statement of Prior Participation – 36 C.F.R. § 219.54(c)(7)*

PAW addressed GRSG-TDDD-MA-025-Management Approach on pages 1 and 2 of its comments on the Draft EIS and supported this provision. In the Final EIS, however, the Forest Service adjusted the language to direct the Forest Service to “include an alternative” with the Wyoming Compensatory Mitigation Framework when considering the use of compensatory mitigation. PAW objects to the inclusion of this new language. Because the Forest Service added this language between the Draft EIS and Final EIS, PAW has not had an opportunity to comment on it. See 36 C.F.R. § 219.54(c)(7) (“the objection concerns any issue that arose after the opportunities for formal comment”).

*Statement of Objection – 36 C.F.R. § 219.54(c)(6)*

PAW objects to the inclusion of the phrase “include an alternative” in GRSG-TDDD-MA-025-Management Approach, for two reasons. First, this language is unclear and does not provide sufficient guidance to the Forest Service staff to implement. Most significant, this language does not provide any context for “an alternative.” Presumably, the language references an alternative in NEPA analysis, see 40 C.F.R. §§ 1502.14 and 1508.9(b), but it does not specify such. Further, the language does not identify whether “an alternative using the Wyoming Compensatory Mitigation Framework” would be an alternative to one or more action alternatives in a NEPA document, or whether the alternative could be the only alternative to a no-action alternative. See 40 C.F.R. § 1508.25(b)(1).

Second, this language is inconsistent with the Plan’s stated purpose of “incorporat[ing] new information to improve the clarity, efficiency, and implementation of greater sage-grouse plans, including better alignment with the Bureau of Land Management (BLM) and state plans, in order to benefit greater sage-grouse conservation on the landscape scale.” Final EIS at 1-19; 83 Fed. Reg. 28,608, 28,6609 (June 20, 2018) (emphasis added). To the extent this language requires the Forest Service to consider the State of Wyoming Compensatory Mitigation Framework as one of several alternatives in a NEPA document, this language appears to encourage the Forest Service to diverge from the State of Wyoming’s Compensatory Mitigation Framework—directly contradicting the purpose of aligning the Plan with the State of Wyoming’s plan. Because the State of Wyoming has the lead role in managing the greater sage-grouse and has developed a process and parameters for managing the species, including a Compensatory Mitigation Framework, the Forest Service should recognize and apply this framework.

For these reasons, PAW requests that the Forest Service remove the phrase “include an alternative” from GRSG-TDDD-MA-025-Management Approach.

**Objection Three: Required Design Features**

*Statement of Issues – 36 C.F.R. § 219.54(c)(5)*

PAW objects to the following provisions that impose certain design features on infrastructure and fluid mineral development within General Habitat Management Areas (GHMA):

- GRSG-TDDD-GL-024-Guideline – To reduce impacts to sage-grouse in GHMA, new land use authorizations that may create anthropogenic disturbances may be issued, but should



be collocated, as practicable, within existing designated corridors, rights-of-way, disturbances, or non-habitat areas. The authorization should consider design criteria to avoid and minimize impacts to the greater sage-grouse and its habitat.

- This management measure appears on page 53 of the ROD and page 2-284 of the Final EIS.
- GRSG-M-FML-GL-082-Guideline – Compressor stations should be located on portions of a lease that are non-habitat and are not used by the greater sage-grouse and if there would be no direct, indirect, or cumulative effects on the greater sage-grouse or its habitat.
  - This management measure appears on page 60 of the ROD and pages 2-307 – 2-308 of the Final EIS.
- GRSG-M-FML-MA-083-Management Approach – If locating compressor stations in non-habitat or areas that would have no impact on greater sage-grouse is not possible, work with the operator to use mufflers, sound insulation, or other features to reduce noise consistent with GRSG-TDDD-GL-022-Guideline.
  - This management measure appears on page 60 of the ROD and page 2-308 of the Final EIS.
- GRSG-M-FML-MA-084-Management Approach – In greater sage-grouse HMA when authorizing development of fluid mineral resources, work with the operator to avoid and minimize impacts to the greater sage-grouse and its habitat, such as locating facilities in non-habitat areas first and then in the least suitable habitat.
  - This management measure appears on page 60 of the ROD and page 2-308 of the Final EIS.
- GRSG-M-FML-MA-085-Management Approach – In PHMA and GHMA on existing leases, operators should be encouraged to reduce disturbance to greater sage-grouse habitat. At the time of approval of the Surface Use Plan of Operation portion of the Application for Permit to Drill, terms and conditions should be included to reduce disturbance to greater sage-grouse habitat, where appropriate and feasible and consistent with the rights granted to the lessee.
  - This management measure appears on page 60 of the ROD and pages 2-308 – 2-309 of the Final EIS.
- GRSG-M-FML-MA-087-Management Approach – In greater sage-grouse HMA, where the federal government owns the surface and the mineral estate is in non-federal ownership, coordinate with the mineral estate owner/lessee to apply appropriate conservation measures, and design features to the appropriate surface management instruments to the maximum extent permissible under existing authorities.
  - This management measure appears on page 61 of the ROD and page 2-309 of the Final EIS.
- GRSG-M-FMO-GL-090-Guideline – In greater sage-grouse habitat management areas, during drilling operations, soil compaction should be minimized and soil structure should

be maintained using the best available techniques to improve vegetation reestablishment.

- This management measure appears on page 61 of the ROD and page 2-310 of the Final EIS.
- GRSG-M-FMO-GL-091-Guideline and GRSG-M-FMO-MA-092-Management Approach – West Nile virus management measures.
  - These management measures appear on page 61 of the ROD and pages 2-311 – 2-313 of the Final EIS.
- GRSG-M-FMO-GL-093-Guideline – In greater sage-grouse HMA, to keep habitat disturbance at a minimum, a phased development approach should be applied to fluid mineral operations, wherever practicable, consistent with the rights granted under the lease. Disturbed areas should be reclaimed as soon as they are no longer needed for mineral operations.
  - This management measure appears on page 61 of the ROD and page 2-313 of the Final EIS.

*Statement of Prior Participation – 36 C.F.R. § 219.54(c)(7)*

On pages 3 through 5 of its comments on the Draft EIS, PAW raised concerns with these and other standards, management approaches, and guidelines (collectively, “Management Measures”), all of which had appeared on pages 2-164 through 2-165, or 2-179 through 2-183, of the Draft EIS. In particular, PAW objected to application of these management measures in GHMA. In the Final EIS and ROD, the Forest Service limited the applicability of some management measures to PHMA, winter concentration areas, and Connectivity Habitat Management Areas (CHMA); however, the management measures identified above still apply in GHMA. PAW requests that the Forest Service revise these management measures so that they do not apply in GHMA.

*Statement of Objection – 36 C.F.R. § 219.54(c)(6)*

Although the Forest Service has not labeled these Management Measures as “required design features” (RDFs), they are the same measures that the BLM RMPA imposes on fluid mineral activities and that the BLM RMPA characterizes as RDFs. See BLM Wyoming Greater Sage-Grouse Approved RMPA and ROD, App. B (2019).

Application of these Management Measures in GHMA is inconsistent with the State of Wyoming’s management of the greater sage-grouse and thus contradicts the Plan’s stated purpose of “incorporat[ing] new information to improve the clarity, efficiency, and implementation of greater sage-grouse plans, including better alignment with the Bureau of Land Management (BLM) and state plans, in order to benefit greater sage-grouse conservation on the landscape scale.” Final EIS at 1-19; 83 Fed. Reg. 28,608, 28,6609 (June 20, 2018) (emphasis added). Simply put, application of these Management Measures in GHMA contradicts the premise of the State of Wyoming’s Core Area Protection Strategy, which is to focus protections in PHMA in order to encourage development to be sited outside of PHMA. Applying these Management Measures in GHMA blurs the distinction between

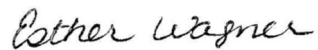
PHMA and GHMA, thus decreasing the incentive to avoid development in PHMA. Given the Forest Service's stated purpose of the Plan, it should not adopt measures inconsistent with the State of Wyoming's management of the greater sage-grouse.

For these reasons, PAW requests that the Forest Service revise the listed Management Measures so that they do not apply in GHMA.

**Conclusion**

PAW appreciates the Forest Service's consideration of these objections. If you have any questions about the information and concerns presented herein, please do not hesitate to contact me.

Sincerely,



Esther Wagner  
Vice President – Public Lands